

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

United States of America  
v.  
Santiago-Becerill

CASE NUMBER: 98-230 (HL)

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

**MOTION**


**Date Filed:**      **Docket #** 10      ☐ **Plffs**   ☐ **Defts**   ☐ **Other**  
**Title:** Motion to proceed *in forma pauperis*

**ORDER**

In his letter, petitioner inquires as to why he was charged the filing fee for his appeal if he has been granted *in forma pauperis* status. In fact, petitioner has never been so designated. However, the Court will treat his letter as a motion to proceed *in forma pauperis*. This motion is hereby GRANTED.

As this is an appeal from a denial of a 28 U.S.C. §2255, the provisions of the Prison Litigation Reform Act of 1995 do not apply, and as such a filing fee need not be paid. *U.S. v. Cole*, 101 F.3d 1076, 1077 (5<sup>th</sup> Cir. 1996). The Clerk of the Court shall refund petitioner the \$105.00 filing fee he paid for his appeal.

Date 11/28/01

  
**HECTOR M. LAFFITTE**  
Chief U.S. District Judge

slc: Teranir 11/29/01 ji

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